

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 04-cv-10610

Anthony F.

v.

School Committee of the City of Medford

CLERK'S CERTIFICATE

I, Sarah A Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 5/20/05.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on May 25, 2005.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 5/25/05



Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-10610-RWZ**

Anthony F., v. School Committe of the City of Medford
Assigned to: Judge Rya W. Zobel
Cause: 20:1415 Rights to Special Educational Services
Date Filed: 03/29/2004
Jury Demand: None
Nature of Suit: 440 Civil
Rights: Other
Jurisdiction: Federal Question

Plaintiff

Anthony F.,
*By And Through His Next
Friends Edward F. and Lisa
F.*

represented by **Daniel B. Walsh**
Geary & Associates
161 Summer Street
Kingston, MA 02364
781-585-0008
LEAD ATTORNEY
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V.

Defendant

School Committe of the City represented by **Doris R. MacKenzie Ehrens of Medford**

Murphy, Hesse, Toomey, and
Lehane

Suite 410

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Mary L. Gallant

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NOTICED

Date Filed	#	Docket Text
03/29/2004	1	COMPLAINT Filing fee: \$ 150, receipt number 54885, filed by Anthony F.,(Johnson, Jay) (Entered: 03/30/2004)
03/29/2004		Summons Issued as to School Committe of the City of Medford. (Johnson, Jay) (Entered: 03/30/2004)

03/29/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander. (Johnson, Jay) (Entered: 03/30/2004)
04/30/2004	<u>2</u>	SUMMONS Returned Executed School Committe of the City of Medford served on 4/22/2004, answer due 5/12/2004. (Flaherty, Elaine) (Entered: 05/05/2004)
06/07/2004	<u>3</u>	ANSWER to Complaint by School Committe of the City of Medford.(Johnson, Jay) (Entered: 06/08/2004)
06/09/2004	•	NOTICE of Scheduling Conference Scheduling Conference set for 7/14/2004 02:30 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 06/09/2004)
07/14/2004	•	electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel : Scheduling Conference held on 7/14/2004. status report by 8/18/04; if no settlement; defendant's summary judgment motion 9/30/04; plaintiff's 10/15/04; no excessive briefs; defendant's reply 10/22/04; 5 pages; Judge will decide on the papers; (Urso, Lisa) (Entered: 07/15/2004)
08/18/2004	<u>4</u>	Letter from Daniel Walsh requesting a 1 week extention for settlement; Settlement report due 8/25/04. (Urso, Lisa) (Entered: 08/20/2004)
08/27/2004	<u>5</u>	Letter/request (non-motion) from Daniel B. Walsh regarding settlement discussions. (Johnson, Jay) (Entered: 08/31/2004)
09/28/2004	<u>6</u>	(Assented to) MOTION for Extension of Time to 10/14/04 for deadlines related to summary judgment by School Committe of the City of Medford.(Johnson, Jay) (Entered: 09/30/2004)
10/18/2004	<u>8</u>	MEMORANDUM in Support re <u>7</u> MOTION to Dismiss and/or MOTION for Summary Judgment filed by School Committe of the City of Medford.

		(Johnson, Jay) (Entered: 10/19/2004)
10/18/2004	<u>9</u>	AFFIDAVIT of Gail Bernstein in Support re <u>7</u> MOTION to Dismiss MOTION for Summary Judgment. (Johnson, Jay) (Entered: 10/19/2004)
10/19/2004	<u>7</u>	MOTION to Dismiss, and/or MOTION for Summary Judgment by School Committe of the City of Medford. (Johnson, Jay) (Entered: 10/19/2004)
11/01/2004	<u>10</u>	(Assented to) MOTION for Extension of Time to 11/16/04 to File Opposition to Summary Judgment by Anthony F., (Johnson, Jay) (Entered: 11/03/2004)
11/02/2004		Judge Rya W. Zobel : electronic ORDER entered granting <u>6</u> Motion for Extension of Time (Urso, Lisa) (Entered: 11/02/2004)
11/16/2004	<u>11</u>	MEMORANDUM in Opposition re <u>7</u> MOTION to Dismiss MOTION for Summary Judgment filed by Anthony F., (Johnson, Jay) (Entered: 11/17/2004)
11/16/2004	<u>12</u>	AFFIDAVIT of Daniel B. Walsh in Support re <u>11</u> Memorandum in Opposition to Motion. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E)(Johnson, Jay) (Entered: 11/17/2004)
11/16/2004	<u>13</u>	AFFIDAVIT of Lisa Falanga in Support re <u>11</u> Memorandum in Opposition to Motion. (Johnson, Jay) (Entered: 11/17/2004)
11/19/2004	<u>14</u>	Opposition re <u>7</u> MOTION to Dismiss MOTION for Summary Judgment filed by Anthony F., (Urso, Lisa) (Entered: 11/19/2004)
11/22/2004	<u>15</u>	Opposition re <u>7</u> MOTION to Dismiss MOTION for Summary Judgment filed by Anthony F., (Johnson, Jay) (Entered: 11/29/2004)
04/22/2005	<u>16</u>	Judge Rya W. Zobel : Memorandum of DecisionORDER entered denying <u>7</u> Motion to Dismiss, as to plaintiff's claim of fees related to 2001-

		2002 IEP; granting <u>7</u> Motion for Summary Judgment as to plaintiff's claim for fees related to 2002-2003 IEP. (Urso, Lisa) (Entered: 04/26/2005)
05/20/2005	●17	NOTICE OF APPEAL as to <u>16</u> Order on Motion to Dismiss,, Order on Motion for Summary Judgment,, Order on Motion for Extension of Time, by School Committe of the City of Medford. \$ 255, receipt number 64443 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 6/9/2005. (Johnson, Jay) (Entered: 05/24/2005)
05/23/2005	●	NOTICE of Hearing: Status Conference set for 6/2/2005 03:00 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 05/23/2005)

Motions Report

United States District Court - - District of Massachusetts

Motions Filed between 01/01/1970 - 03/02/2005

Judge Rya W. Zobel		
Case number/ Document number	Case and Motion information	Notes
<u>1:04-cv-10610-RWZ</u>	Anthony F., v. School Committe of the City of Medford Filed: 03/29/2004	Cause: 20:1415 Rights to Special Educational Services NOS: 440:Civil Rights: Other Office: Boston Presider: Rya W. Zobel Jury demand: None
7	MOTION to Dismiss Motion filed: 10/19/2004 Filed by: School Committe of the City of Medford	Response filed: 11/16/2004 Response due: 11/02/2004
7	MOTION for Summary Judgment Motion filed: 10/19/2004 Filed by: School Committe of the City of Medford	Response filed: 11/16/2004 Response due: 11/02/2004
10	MOTION for Extension of Time to 11/16/04 to Opposition to Summary Judgment Motion filed: 11/01/2004 Filed by: Anthony F.,	Response due: 11/15/2004

Total Number of Motions Reported: 2

Motions Report Selection Criteria	
Case number	04-10610
Motions referred from	All
Motions referred to	All
Filed date range	1/1/1970 - 3/2/2005
Include	Pending motions
Output	Deadlines and filing dates
Sort by	Case number